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05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
07 AT SEATTLE

08 UNITED STATES OF AMERICA,)
09 Plaintiff,) Case No. MJ09-552
10 v.)
11 JOSEPH WILLIAM EUFRACIO,) DETENTION ORDER
12 Defendant.)
13

14 Offense charged:

15 Count 1: Possession with Intent to Distribute Oxycodone, in violation of 21
16 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and 18 U.S.C. § 2

17 Date of Detention Hearing: November 3, 2009

18 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
19 based upon the factual findings and statement of reasons for detention hereafter set forth,
20 finds:

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 (1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that
23 defendant is a flight risk and a danger to the community based on the nature of the pending
24 charges. Application of the presumption is appropriate in this case.

25 (2) Defendant has a history of failures to appear.

26 (3) Defendant attempted to elude when he was being arrested.

(4) Defendant's failures to comply reflects an inability or unwillingness to comply

01 with Court Orders.

02 (5) Defendant is associated with five aliases.

03 (6) There are no conditions or combination of conditions other than detention that
04 will reasonably ensure the appearance of the defendant.

05 IT IS THEREFORE ORDERED:


06 (1) Defendant shall be detained pending trial and committed to the custody of the
07 Attorney General for confinement in a correctional facility separate, to the extent practicable,
08 from persons awaiting or serving sentences or being held in custody pending appeal;

09 (2) Defendant shall be afforded reasonable opportunity for private consultation
10 with counsel;

11 (3) On order of a court of the United States or on request of an attorney for the
12 government, the person in charge of the corrections facility in which defendant is confined
13 shall deliver the defendant to a United States Marshal for the purpose of an appearance in
14 connection with a court proceeding; and

15 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
16 counsel for the defendant, to the United States Marshal, and to the United States Pretrial
17 Services Officer.

18 DATED this 3rd day of November, 2009.

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20 JAMES P. DONOHUE
21 United States Magistrate Judge
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